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PART IV-A

Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Central Acts.

GUJARAT LEGISLATURE SECRETARIAT

NOTIFICATION

VITHTHALBHAI PATEL BHAVAN,

SECTOR-10, GANDHINAGAR.

Dated the 18th October, 2010.

RIGHT TO INFORMATION ACT, 2005.

No.GLS /791/PB /30 / 11669 : In exercise of the powers conferred by Section 28 of the Right to Information Act, 2005 (22 of 2005) and in supersession of the existing rules made in this behalf, Hon'ble the Speaker, being the competent authority for the Gujarat Legislative Assembly hereby makes the following rules for providing information pertaining to the Gujarat Legislative Assembly.

1. **Short Title and Commencement** :

- (i) These rules may be called the "Gujarat Legislative Assembly Right to Information Rules, 2010".
- (ii) These rules shall come into force on and from the date of their publication in the official gazette.

2. **Definitions** :

- (1) In these rules, unless the context otherwise requires :
 - (a) "Act" means the Right to Information Act, 2005.
 - (b) "Commission" means the Gujarat State Information Commission constituted Under Section 15 of the Act.
 - (c) "Form" means forms appended to these rules.
 - (d) "Fees" means fees prescribed under rule 5.

- (2) The words and expressions used but, not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Application for obtaining information :

- (1) A person who desires to obtain information pertaining to the Gujarat Legislative Assembly shall make an application in writing in **Form A** or through electronic means to the Public Information Officer accompanying the fees prescribed under Rule 5 :

Provided that where a person applying through electronic means, shall have to pay the fees within seven days from the date of application, failing which the application shall be treated as dismissed.

- (2) The fees as provided in rule 5(A) shall be paid either in cash or by demand draft or by pay order or in the form of Non-Judicial stamp or Non Judicial stamp Paper or stamping through franking or Electronic stamping or Court fee stamp or Judicial stamp paper or Indian postal order or revenue stamp or by Challan credited in the Government Treasury through authorized banks in the budget head 0070 -other administrative services, 60-other services, 800- Other receipt, (17)- fees and other charges under these rules.
- (3) The Public Information Officer shall inform the Applicant in **Form 'B'** regarding such further fees or charges to be paid by him as provided under clause (B) of rule 5 for the purpose of information sought for by him.
- (4) The fees and charges payable under clause (B) of rule 5 may be paid either in cash or by demand draft or by pay order or by Indian postal order or by Challan credited in the Government Treasury through authorized Banks in the Budget head 0070-other administrative services, 60 – other services, 800 – other receipt, (17)-fees and other charges under these rules.

Provided that no fees and charges shall be payable by a person belonging to the Below Poverty Line families, if such person submits with the application a certified copy or true copy of the Below Poverty Line card prevailing at that point of time or a Certificate issued in this behalf by the competent authority

- (5) The Fees and charges paid by demand draft or by pay order or by Indian Postal Order shall be duly crossed and shall be drawn in favour of Government of Gujarat.

4. Disposal of the Application:

- (1) The Public Information Officer shall provide information sought for on payment of further such fees or charges as provided in rule 5(B) to the applicant within 30 days of the receipt of the request or inform the applicant about the rejection of application stating the reasons or grounds as provided under Sections 8 and 9 of the Act, or partially provide the information sought for and partially reject the request for any of the reasons specified in the Act in **Form "C"**.
- (2) In case, where the information sought for does not fall within the jurisdiction of the Public Information Officer of Gujarat Legislative Assembly, he shall transfer such application or such part of it in **Form "D"** to the concerned Public Information Officer of such authority as soon as practicable but in no case later than five days of the receipt of the application and inform the applicant immediately about such transfer:

Provided that where the information sought for concerns with the life or liberty of a person, the Public Information Officer shall be required to provide such information within 48 hours of the receipt of such request or application.

5. Rates of Fees:

The Rates of Fees and other charges for obtaining required information and documents shall be as under :

(A) **Application Fees** : Rs.20/- per application.

(B) **Other fees and charges:**

Sr. No.	Details of information Required	Price in Rupees
1.	Any information available in the form of a priced publication	Actual price of publication
2.	Other information/Documents : (a) Information provided in : (i) A4, A3 size paper (ii) Larger size paper (b) For sample, model or photographs (c) For inspection of records. (d) For information to be furnished in Floppy or a disc, wherever possible.	 Rs.2/- per page Amount of actual cost. Amount of actual cost. No fees for the first-half-an hour and thereafter Rs.20/- for each half an hour. Rs.50/-per floppy/ disc.

6. Appeal :

- (1) Any person aggrieved by the decision of the Public Information Officer or any person who does not receive any decision within the time specified in sub-section (1) or Clause (a) of Sub-Section (3) of Section 7 of the Act, as the case may be, may prefer an appeal in **Form E** within 30 days from the date of receipt or non receipt of such decision, to the Appellate authority designated by the Speaker in this behalf.
- (2) The applicant aggrieved by an order of the Appellate authority under Sub Rule (1) may prefer second stage appeal to the Gujarat State Information Commission within 90 days from the date of the receipt of the order of the Appellate authority giving the following details :
 - I Name and address of the applicant.
 - II Name and Address of the Public Information Officer.
 - III Number, date and details of the order against which the second stage appeal is filed.
 - IV Brief facts leading to the second stage appeal.
 - V Ground for appeal.
 - VI Verification by the appellant.
 - VII Any information which the Commission may deem necessary for deciding the appeal.
- (3) Every appeal made to the Commission shall be accompanied the following documents:
 - (i) Copy of the order against which second stage appeal is preferred.
 - (ii) Copies of other documents referred to and relied upon by the appellant along with a list thereof.

7. **Identification of Citizenship :**

On receiving an application under section 6 of the Act, where the Public Information Officer is of the opinion that the identification of Citizenship is required to be ensured, he may ascertain the same subject to adherence of the time limit prescribed under section 7 of the Act.

8. **Penalty :**

Where the State Information Commission imposes penalty under sub-section (1) of section 20 of the Act, the Public Information Officer shall deposit the amount of penalty in the Government Treasury which shall be credited in the appropriate receipt head.

9. **Maintenance of Records :**

The Public Information Officer under the superintendence and direction of the Speaker shall maintain all the records in respect of the applications received for information and the fees collected for giving the information.

10. **Miscellaneous :**

For the purpose of removing any doubt it is hereby clarified that the forms as prescribed under these rules need not be in authorized pre-printed stationery, but any format neatly typed, handwritten or in electronic form which covers essential details in the form shall be valid.

By Order of the Speaker,

**D. M. PATEL,
SECRETARY**

FORM – A
(See rule 3 (1))

Application form for obtaining information

To

The Public Information Officer,
Gujarat Legislature Secretariat,
Viththalbhai Patel Bhavan, Sector-10,
Gandhinagar : 382010.

Sir,

I want to obtain following information from you under the Right to Information Act, 2005. The details are as under :

1. Applicant's Name :
2. Full Address of the Applicant :
3. **Specific particulars/details of information** **Specific duration of information**
Required (in brief) **required**

(1)

(2)

(3)

4*(1) I have paid application fee Rs.....in words rupees.....on
dt..... vide receipt No..... in the department/office
of.....

*(2) I enclose herewith crossed Demand Draft/Pay Order/Indian Postal Order for application fees. The details are as under.

Number of demand draft / pay order/ Indian postal order	Date	Name and place of Bank/ Post Office	Drawn in favour of	Amount Rupees
			*Government of Gujarat	

*(3) Non-Judicial stamp /court fee stamp/ revenue stamp of Rs..... is affixed on this application.

*(4) I have paid application fee by chalan dt.....at.....
(mention name of bank,branch, place) which is enclosed in original herewith.

*(5) I have made application on Rs.20/- Non Judicial Stamp Paper / Judicial Stamp Paper hence no separate fee is paid.

*(6) I hereby declare that I belong to B.P.L. family as on date..... and I enclose herewith certified copy/true copy of B.P.L. card or certified copy / true copy of certificate for B.P.L. Therefore, I have not paid application fee.

5. I hereby declare that I am a Citizen of India.

6. I hereby declare that above details are true to the best of my knowledge and belief.

Date: Signature of applicant

Place: Telephone No.:

(Office).....

(Residence).....

Mobile No.(if any).....

*Strike out whichever is not applicable.

FORM -B**(See rule-3(3))****Intimation to applicant to deposit fee and charges for required information and / or documents****To,**

..... (Name of applicant)

..... (Address)

..... (Village/City)

Sir,

Your application dated.....on the subject of under Section 6(1) of the RTI Act & Rule-3(1) of the Gujarat Right to Information Rules, 2010 has been received on(date to be mentioned). In this connection I am to state that you are required to deposit Rs.....(in words Rupees.....only) as per below mentioned details for required information and documents sought for.

(1)	Total No. of pages (A3 or A4 size).....x Rs.2/- per page	Rs.
(2)	Total no. of large size pages (except A3 or A4 Size)	Rs. (Amount of actual cost)
(3)	Floppy/disc. chargesx Rs.50/- per piece	Rs.
(4)	Charges for inspection of record	Rs.
(5)	Charges for sample / model /photograph	Rs.
(6)	Others	Rs.
(7)	Total Rupees :	

2. The calculation of above amount is subject to change, if any, at the time of giving actual information and it shall be binding to you.

3. You can deposit/ pay above amount by one of any mode of payment describe below :

(a) by cash

(b) by Demand Draft) It should be duly crossed and drawn in

(c) by Pay Order) favour of * 'Government of Gujarat'

(d) by Indian Postal Order)

(e) by Challan – Deposited in the Budget Head

'0070-other Administrative services-60-other services-800-other receipt-(17)-fees and other charges under the Right to Information Act /Rules.

4 You are requested to mention through which mode you will like to obtain information and documents demanded by you, i.e. either personally or by the post.

Yours faithfully,

(.....)

Public Information Officer
Gujarat Legislature Secretariat
Telephone No.:

*Strike out whichever is not applicable.

FORM -C
(See rule 4(1))

Supply and / or rejection of information to the applicant

From:
 Public Information Officer,
 Gujarat Legislature Secretariat,
 Viththalbhai Patel Bhavan, Sector-10,
 Gandhinagar : 382010.
 Date:

To,
 Shri/Smt/Kum. _____
 Address.- _____

Sir,

This is with reference to your application dated _____ requesting for supply of information / documents under the Right to Information Act, 2005.

- *2. Required information / documents sought for by you in your above application are enclosed herewith.
- *3. Out of the required information / documents sought for, the partial information / documents are supplied as under :

- (1)
 (2)
 (3)
 (4)

- *4. The following information /documents cannot be supplied under the provisions of the following section of the Act.

Sr. No.	Information Sought for	Applicable section / sub section for rejection.
1.		
2.		
3.		

5. If you are aggrieved by the above decision, you may prefer an appeal to

(Here specify name / designation/office address/ telephone of the Appellate Authority) within thirty days from the date of receipt of the decision.

Yours faithfully,
 (.....)

Public Information Officer
 Gujarat Legislature Secretariat
 Telephone No.:

*Strike out whichever is not applicable.

FORM D**(See rule 4 (2))****Transfer of application pertaining to another public authority**

From:

Public Information Officer,
Gujarat Legislature Secretariat,
Viththalbhai Patel Bhavan, Sector-10,
Gandhinagar : 382010.

Date:

To

The Public Information officer

(Name of Public Authority/Department/Office)

Address: _____

Sir,

Please find enclosed herewith an application / a copy of application under the RTI Act, 2005 of Shri/Smt./Kum. _____ dt. _____ which has been received here on _____ (date to be mentioned).

*2. As the subject matter of the required information / document is more closely connected with the functions of your public authority / department / office, the same is entirely transferred herewith to you for further necessary action.

OR

*3. Out of the information /documents sought for in the above referred application, the following information / documents are pertaining to your public authority / department /office, the same is transferred to you for further necessary action.

(1)

(2)

(3)

(4)

4. It is certified that the applicant has paid Rs. _____ (Rupees _____ only) as application fee as per Rule 5(A).

Yours faithfully,

(.....)

Public Information Officer
Gujarat Legislature Secretariat
Telephone No.:

Copy to:

Shri / Smt. /Kum. _____
(Applicant Name)

_____ (Address)

He / She is requested to contact the Public Information Officer of the concerned Public Authority mentioned above.

*Strike out whichever is not applicable.

FORM E
(See rule 6(1))
Form of First Appeal

To

The Appellate Authority,
 Gujarat Legislature Secretariat,
 Viththalbhai Patel Bhavan, Sector-10,
 Gandhinagar – 382010.
 Sir,

As I have not received any decision / As I am aggrieved by the decision of the Public Information Officer dated: _____, I hereby file this first appeal under section 19(1) of the RTI Act, 2005. The particulars of my appeal are as under :

1. Name of the appellant :
2. Whether the appellant belongs to BPL : YES/NO.
3. Address of appellant :
- 4.(A) Name of the Public Information Officer :
- (B) Name of Public Authority/Department/ Office and address :
- (C) Particulars of the decision against which the appeal is preferred including the No. & Date of such decision. :
5. Date of application submitted to the Public Information Officer :
6. Details of Information :
 - (1) Information Asked for :
 - (2) Period for which information is sought :
7. Date of completion of 30 days after submitting Application to the Public Information Officer :
8. Reasons for Appeal :
 - (A) No decision is received within 30 days of submission of application to the Public Information Officer.
 - (B) Aggrieved by the decision of Public Information Officer dated _____
9. Ground for Appeal.
10. Last date for filing the appeal.
12. Reasons for delay (If any) in filing the appeal beyond the prescribed time limit.
12. Prayer / relief's sought for :

I hereby state that the information and particulars given above are true to the best of my knowledge and belief.

Place:

Date:

(Signature of appellant)

Telephone No.

Office :

Residence:

Mobile:

Government Central Press, Gandhinagar.